

PETER C. ANDERSON
UNITED STATES TRUSTEE
ABRAM S. FEUERSTEIN, SBN 133775
ASSISTANT UNITED STATES TRUSTEE
UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
3801 University Avenue, Suite 720
Riverside, CA 92501-3200
Telephone: (951) 276-6990
Facsimile: (951) 276-6973
Email: Abram.S.Feuerstein@usdoj.gov

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re:

SHAHEN MAILYAN,

Debtor.

Case No. 6:24-bk-11145-RB

Chapter 13

**NOTICE OF MOTION AND MOTION
FOR ORDER COMPELLING
ATTORNEY TO FILE DISCLOSURE
OF COMPENSATION PURSUANT TO
11 U.S.C. § 329 AND FEDERAL RULE
OF BANKRUPTCY PROCEDURE 2016;
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
ADELA M. SALGADO IN SUPPORT
THEREOF**

Hearing:

Date: May 15, 2024
Time: 2:00 p.m.
Place: Courtroom 303
3420 Twelfth St.
Riverside, CA 92501

1 **TO THE HONORABLE MAGDALENA REYES BORDEAUX, UNITED STATES**
2 **BANKRUPTCY COURT JUDGE, THE DEBTOR, THE DEBTOR’S COUNSEL, AND ALL**
3 **PARTIES IN INTEREST:**

4 **PLEASE TAKE NOTICE** that on May 15, 2024, at 2:00 p.m., at the United States
5 Bankruptcy Court for the Central District of California, before the Honorable Magdalena Reyes
6 Bordeaux, United States Bankruptcy Court Judge, in Courtroom 303, located at 3420 Twelfth
7 Street, Riverside, CA 92501, Peter C. Anderson, the United States Trustee for Region 16 (“U.S.
8 Trustee”), will move the Court for an order requiring Sammy Zreik of Whitbeck, Kooshki & Zreik
9 LLP (collectively, “Zreik”), to file a disclosure of attorney compensation (“Statement of Attorney
10 Compensation”) pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy Procedure (“Rule”) 2016.¹ Moreover, the U.S. Trustee requests that the Court retain jurisdiction to rule on the
11 disgorgement of attorney’s fees pursuant to Section 329 and Rule 2017, if necessary.

12
13 This motion is based upon the attached Notice of Motion, the Motion, the Memorandum of
14 Points and Authorities, the declaration of Adela Salgado (“Salgado Decl.”), the papers, pleadings,
15 and files of record and such evidence as the Court might receive at the time of the hearing on this
16 motion.

17 Pursuant to Federal Rules of Evidence 201, the U.S. Trustee respectfully requests that the
18 Court take judicial notice of the docket and all documents filed in this bankruptcy case, including
19 the bankruptcy petition and the schedules and statements, if any.

20 //

21 ////

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26
27 ¹ Unless otherwise indicated, all chapter, section and rule references are to the Bankruptcy
28 Code, 11 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037.

1 **Local Bankruptcy Rule (“LBR”) 9013-1(f) requires that any objection or response to**
2 **this motion must be stated in writing, filed with the Clerk of the Court and served on the**
3 **U.S. Trustee at 3801 University Avenue, Suite 720, Riverside, CA 92501, and on the Chapter**
4 **13 trustee Rod Danielson, 3787 University Avenue, Riverside, CA 92501, at least 14 days**
5 **before the hearing. Failure to file and serve any opposition may be considered consent to the**
6 **relief requested in this motion.**

7
8 DATED: April 9, 2024

PETER C. ANDERSON
UNITED STATES TRUSTEE

9
10
11 By: /s/ Abram S. Feuerstein

Abram S. Feuerstein
Assistant U.S. Trustee

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Although Zreik² represented the debtor, Shahen Mailyan (“Debtor”), in this case (“Bankruptcy Case”), Zreik failed to disclose his compensation as Section 329 and Rule 2016 require. Consequently, the Court and parties in interest cannot determine the amount of compensation Zreik received and whether it was reasonable. The U.S. Trustee respectfully requests that the Court order Zreik to file a Statement of Attorney Compensation, and that the Court also retain jurisdiction over any potential disgorgement motion.

II. JURISDICTION, VENUE, AND STANDING

Jurisdiction over this core proceeding is based on 28 U.S.C. § 157(b)(2)(A) and (O), 1334(b), and the General Order of the District Court referring all Title 11 cases and proceedings to the Bankruptcy Court. Venue is appropriate pursuant to 28 U.S.C. § 1409(a). Additionally, bankruptcy courts have broad and inherent authority to regulate a debtor’s attorney’s compensation. *Law Offices of Nicholas A. Franke v. Tiffany (In re Lewis)*, 113 F.3d 1040, 1045 (9th Cir. 1997). The U.S. Trustee has standing to be heard on all issues in any bankruptcy case. 11 U.S.C. § 307.

III. STATEMENT OF FACTS

1. The Debtor filed a voluntary Chapter 13 bankruptcy petition on March 8, 2024. [*See* Docket, Salgado Decl. at Exh. 1]. Zreik represented the Debtor in the Bankruptcy Case. [*Id.*].

2. The Debtor failed to timely file all of his required case commencement documents with the bankruptcy petition, including the Statement of Attorney Compensation. [*See* Petition, Salgado Decl., Exh. 2]. The Court entered a deficiency notice regarding the Statement of Attorney Compensation. [*See* Notice of Deficiency, Salgado Decl. at Exh. 3].

3. Zreik did not file a Statement of Attorney Compensation on the petition date and, to date, has not filed a Statement of Attorney Compensation. [*See* Salgado Decl. at Exh. 1.].

4. The Court dismissed the Bankruptcy Case on March 26, 2024, based on the Debtor’s failure to file initial petition documents. [*See* Dismissal Order, Salgado Decl. at Exh. 4].

² Capitalized terms used herein have the meanings ascribed to them in the Motion and Notice of Motion.

1 **IV. ARGUMENT**

2 **A. THE COURT SHOULD ORDER ZREIK TO FILE A STATEMENT OF**
3 **ATTORNEY COMPENSATION PURSUANT TO SECTION 329**

4 Section 329 requires attorneys to disclose any compensation paid or agreed to be paid within
5 one year of the filing of the petition for services rendered in connection with the case. Rule 2016
6 specifies that the attorney must file a Statement of Attorney Compensation with the Court within
7 fourteen days of the filing of the bankruptcy petition.

8 “An attorney is required to ‘lay bare all of [his] dealings’ concerning compensation
9 agreements . . . made by, for, or on behalf of the debtor so that the court and parties are not forced
10 to ‘ferret out pertinent information.’” *In re Whitcomb*, 479 B.R. 133, 140 (Bankr. M.D. Fla. 2012)
11 (quoting *In re Saturley*, 131 B.R. 509, 517 (Bankr. D. Me. 1991). An attorney’s failure to disclose
12 his compensation is sanctionable and can include total denial of compensation. *In re Andreas*, 373
13 B.R. 864, 872 (Bankr. N.D. Ill. 2007). “Even a negligent or inadvertent failure to disclose fully
14 relevant information may result in a denial of all requested fees.” *In re Park-Helena Corp.*, 63 F.3d
15 877, 882 (9th Cir. 1995).³

16 Zreik failed to disclose the compensation he received from the Debtor. Zreik’s failure to file
17 a Statement of Attorney Compensation frustrates the efforts of the Court, and of parties in interest,
18 to review the reasonableness of the fees Debtor’s counsel charged.

19 Review of Zreik’s fees may or may not be appropriate here, where the Bankruptcy Case
20 already has been dismissed based on the Debtor’s failure to file case commencement documents. In
21 any event, the dismissal of the Bankruptcy Case does not excuse Zreik from complying with
22 Section 329 and Rule 2016. *See In re Menk*, 241 B.R. 896, 906 (9th Cir. BAP 1999) (stating,
23 “issues of compensation and sanctions survive dismissal”). Consequently, the Court should order
24 Zreik to file a Statement of Attorney Compensation. Additionally, the Court should retain
25

26 ³ Although Zreik’s failure to timely file a Statement of Attorney Compensation is a sufficient
27 basis for disgorgement, the U.S. Trustee is not requesting such relief in this Motion; however, the
28 U.S. Trustee reserves his right to request disgorgement after Zreik files a Statement of Attorney
Compensation.

jurisdiction over any matters arising from or related to Section 329, so that the U.S. Trustee, or any other interested party, can file a refund motion, if appropriate.

V. CONCLUSION

For the foregoing reasons, the Court should order Zreik to file a Statement of Attorney Compensation. Additionally, the Court should retain jurisdiction over any matter arising from or related to Section 329.

DATED: April 9, 2024

PETER C. ANDERSON
UNITED STATES TRUSTEE

By: /s/ Abram S. Feuerstein

Abram S. Feuerstein
Assistant U.S. Trustee

DECLARATION OF ADELA M. SALGADO

I, Adela M. Salgado, declare:

1. I am a Paralegal Specialist employed by the United States Department of Justice in the Riverside District Office ("RDO") of the United States Trustee Program.⁴ I submit this declaration in support of the motion. If called as a witness, I could and would be competent to testify to the following of my own personal knowledge, except as to those facts which are stated upon information and belief, and as to such facts, I believe that they are true.

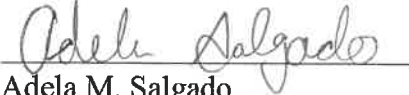
2. Attached hereto as Exhibit 1 is a true and correct copy of the Court's docket, which I obtained from the Court's electronic records.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Debtor's petition, which I obtained from the Court's electronic records.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Court's deficiency notice, which I obtained from the Court's electronic records.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Court's dismissal order, which I obtained from the Court's electronic records.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on April 9, 2024, at Riverside, California.


Adela M. Salgado

⁴ Capitalized terms used herein have the meanings ascribed to them in the Motion and Notice of Motion.

Exhibit 1

PlnDue, Incomplete, DISMISSED

**U.S. Bankruptcy Court
Central District of California (Riverside)
Bankruptcy Petition #: 6:24-bk-11145-RB**

Date filed: 03/08/2024*Debtor dismissed:* 03/26/2024*341 meeting:* 04/10/2024

Assigned to: Magdalena Reyes Bordeaux
Chapter 13
Voluntary
Asset

Debtor disposition: Dismissed for Failure to File
Information

Debtor

Shahen Mailyan
260 South Fairway Dr
Lake Arrowhead, CA 92352
SAN BERNARDINO-CA
SSN / ITIN: xxx-xx-2462

represented by **Sammy Zreik**

Whitbeck, Kooshki & Zreik LLP
21515 Hawthorne Blvd Ste 1130
Torrance, CA 90503
888-972-9477
Fax : 310-540-1112
Email: sammy.zreik@wkzlaw.com

Trustee

Rod Danielson (TR)
3787 University Avenue
Riverside, CA 92501
(951) 826-8000

U.S. Trustee

United States Trustee (RS)
3801 University Avenue, Suite 720
Riverside, CA 92501-3200
(951) 276-6990

| Filing Date | # | Docket Text |
|-------------|--|---|
| 03/08/2024 | <u>1</u> (18 pgs; 3 docs) | Chapter 13 Voluntary Petition Individual . Fee Amount \$313 Filed by Shahen Mailyan Summary of Assets and Liabilities (Form 106Sum or 206Sum) due 03/22/2024. Schedule C: The Property You Claim as Exempt (Form 106C) due 03/22/2024. Schedule E/F: Creditors Who Have Unsecured Claims (Form 106E/F or 206E/F) due 03/22/2024. Schedule G: Executory Contracts and Unexpired Leases (Form 106G or 206G) due 03/22/2024. Schedule H: Your Codebtors (Form 106H or 206H) due 03/22/2024. Schedule I: Your Income (Form 106I) due 03/22/2024. Schedule J: Your Expenses (Form 106J) due 03/22/2024. Declaration About an Individual Debtors Schedules (Form 106Dec) due 03/22/2024. Statement of Financial Affairs (Form 107 or 207) due 03/22/2024. Chapter 13 Plan (LBR F3015-1) due by 03/22/2024. Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Form 122C-1) Due: 03/22/2024. Disclosure of Compensation of Attorney for Debtor (Form 2030) due 03/22/2024. Declaration by Debtors as to Whether Income was Received from an Employer within 60-Days of the |

4/9/24, 2:29 PM

CM/ECF - U.S. Bankruptcy Court (NG 1.7.1.1 - LIVE)

| | | |
|------------|-------------------------------|---|
| | | Petition Date (LBR Form F1002-1) due by 03/22/2024. Incomplete Filings due by 03/22/2024. (Zreik, Sammy) (Entered: 03/08/2024) |
| 03/08/2024 | 2 | Statement About Your Social Security Number (Official Form 121) Filed by Debtor Shahen Mailyan. (Zreik, Sammy) (Entered: 03/08/2024) |
| 03/08/2024 | 3 (1 pg) | Certificate of Credit Counseling Filed by Debtor Shahen Mailyan. (Zreik, Sammy) (Entered: 03/08/2024) |
| 03/08/2024 | | Receipt of Voluntary Petition (Chapter 13)(6:24-bk-11145) [misc,volp13] (313.00) Filing Fee. Receipt number A56589499. Fee amount 313.00. (re: Doc# 1) (U.S. Treasury) (Entered: 03/08/2024) |
| 03/08/2024 | 4 (3 pgs) | Meeting of Creditors with 341(a) meeting to be held on 4/10/2024 at 09:00 AM at TR 13, VIDEO CONFERENCE. GOTO TRUSTEE WEBSITE FOR INSTRUCTIONS. Confirmation hearing to be held on 5/15/2024 at 02:00 PM at Ctrrm 303, 3420 Twelfth St., Riverside, CA 92501. Proofs of Claims due by 5/17/2024. (Scheduled Automatic Assignment, shared account) (Entered: 03/08/2024) |
| 03/10/2024 | 5 (4 pgs) | BNC Certificate of Notice (RE: related document(s) 4 Meeting (AutoAssign Chapter 13)) No. of Notices: 2. Notice Date 03/10/2024. (Admin.) (Entered: 03/10/2024) |
| 03/10/2024 | 6 (2 pgs) | BNC Certificate of Notice (RE: related document(s) 1 Voluntary Petition (Chapter 13) filed by Debtor Shahen Mailyan) No. of Notices: 1. Notice Date 03/10/2024. (Admin.) (Entered: 03/10/2024) |
| 03/10/2024 | 7 (2 pgs) | BNC Certificate of Notice (RE: related document(s) 1 Voluntary Petition (Chapter 13) filed by Debtor Shahen Mailyan) No. of Notices: 1. Notice Date 03/10/2024. (Admin.) (Entered: 03/10/2024) |
| 03/14/2024 | 8 (5 pgs) | Chapter 13 Trustee's Notice of Requirements Filed by Trustee Rod Danielson (TR). (Danielson (TR), Rod) (Entered: 03/14/2024) |
| 03/19/2024 | 9 (1 pg) | Request for courtesy Notice of Electronic Filing (NEF) Filed by Wong, Jennifer. (Wong, Jennifer) (Entered: 03/19/2024) |
| 03/20/2024 | 10 (5 pgs) | Statement Filed by Trustee Rod Danielson (TR). (Danielson (TR), Rod) (Entered: 03/20/2024) |
| 03/26/2024 | 11 (1 pg) | Order and Notice of Dismissal for Failure to File Schedules, Statements, and/or Plan - DEBTOR Dismissed (BNC) (MA) (Entered: 03/26/2024) |
| 03/28/2024 | 12 (3 pgs) | BNC Certificate of Notice (RE: related document(s) 11 ORDER and notice of dismissal for failure to file schedules, statements, and/or plan (CACB AutoDismiss) (BNC)) No. of Notices: 2. Notice Date 03/28/2024. (Admin.) (Entered: 03/28/2024) |

4/9/24, 2:29 PM

| Transaction Receipt | | | |
|------------------------|---------------|-------------------------|---|
| 04/09/2024 14:24:45 | | | |
| PACER Login: | AMSalgado | Client Code: | |
| Description: | Docket Report | Search Criteria: | 6:24-bk-11145-RB Fil or Ent: filed From: 1/10/2024 To: 4/9/2024 Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included |
| Billable Pages: | 2 | Cost: | 0.20 |

Exhibit 2

Fill in this information to identify your case:

United States Bankruptcy Court for the:

CENTRAL DISTRICT OF CALIFORNIA

Case number (if known)

Chapter you are filing under:

- ☐ Chapter 7
☐ Chapter 11
☐ Chapter 12
☒ Chapter 13

☐ Check if this is an amended filing

Official Form 101

Voluntary Petition for Individuals Filing for Bankruptcy

12/22

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be *yes* if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

Shahen

First name

Middle name

Mailyan

Last name and Suffix (Sr., Jr., II, III)

First name

Middle name

Last name and Suffix (Sr., Jr., II, III)

2. All other names you have used in the last 8 years

Include your married or maiden names and any assumed, trade names and *doing business as* names.

Do NOT list the name of any separate legal entity such as a corporation, partnership, or LLC that is not filing this petition.

3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)

xxx-xx-2462

Debtor 1 **Shahen Mailyan**

Case number (if known)

| | About Debtor 1: | About Debtor 2 (Spouse Only in a Joint Case): |
|--|--|--|
| 4. Your Employer Identification Number (EIN), if any. | <div>EIN</div> | <div>EIN</div> |
| 5. Where you live | <div>260 South Fairway Dr Lake Arrowhead, CA 92352 Number, Street, City, State & ZIP Code</div> <div>San Bernardino County</div> <div>If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.</div> <div>Number, P.O. Box, Street, City, State & ZIP Code</div> | <div>If Debtor 2 lives at a different address:</div> <div>Number, Street, City, State & ZIP Code</div> <div>County</div> <div>If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.</div> <div>Number, P.O. Box, Street, City, State & ZIP Code</div> |
| 6. Why you are choosing this district to file for bankruptcy | <div>Check one:</div> <div><input checked="" type="checkbox"/> Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.</div> <div><input type="checkbox"/> I have another reason. Explain. (See 28 U.S.C. § 1408.)</div> | <div>Check one:</div> <div><input type="checkbox"/> Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.</div> <div><input type="checkbox"/> I have another reason. Explain. (See 28 U.S.C. § 1408.)</div> |

Debtor 1 **Shahen Mailyan**

Case number (if known) _____

Part 2: Tell the Court About Your Bankruptcy Case

7. **The chapter of the Bankruptcy Code you are choosing to file under** *Check one. (For a brief description of each, see Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)). Also, go to the top of page 1 and check the appropriate box.*

- ☐ Chapter 7
- ☐ Chapter 11
- ☐ Chapter 12
- ☒ Chapter 13

8. **How you will pay the fee** ☒ **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.
- ☐ **I need to pay the fee in installments.** If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).
- ☐ **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

9. **Have you filed for bankruptcy within the last 8 years?** ☒ No.
☐ Yes.

| | | |
|----------------|------------|-------------------|
| District _____ | When _____ | Case number _____ |
| District _____ | When _____ | Case number _____ |
| District _____ | When _____ | Case number _____ |

10. **Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?** ☒ No.
☐ Yes.

| | |
|---------------------------|-----------------------------|
| Debtor _____ | Relationship to you _____ |
| District _____ When _____ | Case number, if known _____ |
| Debtor _____ | Relationship to you _____ |
| District _____ When _____ | Case number, if known _____ |

11. **Do you rent your residence?** ☒ No. Go to line 12.
☐ Yes. Has your landlord obtained an eviction judgment against you?
- ☐ No. Go to line 12.
- ☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it as part of this bankruptcy petition.

Debtor 1 **Shahen Mailyan**

Case number (if known)

Part 3: Report About Any Businesses You Own as a Sole Proprietor**12. Are you a sole proprietor of any full- or part-time business?**☒ No. Go to Part 4.☐ Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any

Number, Street, City, State & ZIP Code

Check the appropriate box to describe your business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code, and are you a small business debtor or a debtor as defined by 11 U.S.C. § 1182(1)?

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

If you are filing under Chapter 11, the court must know whether you are a small business debtor or a debtor choosing to proceed under Subchapter V so that it can set appropriate deadlines. If you indicate that you are a small business debtor or you are choosing to proceed under Subchapter V, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☒ No. I am not filing under Chapter 11.☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.☐ Yes. I am filing under Chapter 11, I am a small business debtor according to the definition in the Bankruptcy Code, and I do not choose to proceed under Subchapter V of Chapter 11.☐ Yes. I am filing under Chapter 11, I am a debtor according to the definition in § 1182(1) of the Bankruptcy Code, and I choose to proceed under Subchapter V of Chapter 11.**Part 4: Report if You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention****14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?**☒ No.☐ Yes. What is the hazard?

If immediate attention is needed, why is it needed?

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

Where is the property?

Number, Street, City, State & Zip Code

Debtor 1 **Shahen Mailyan**

Case number (if known)

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling**15. Tell the court whether you have received a briefing about credit counseling.**

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

- ☒ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy. If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**

- ☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**

- ☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Debtor 1 Shahen Mailyan

Case number (if known) _____

Part 6: Answer These Questions for Reporting Purposes

16. What kind of debts do you have?
- 16a. Are your debts primarily consumer debts? *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."
- ☐ No. Go to line 16b.
- ☒ Yes. Go to line 17.
- 16b. Are your debts primarily business debts? *Business debts* are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.
- ☐ No. Go to line 16c.
- ☐ Yes. Go to line 17.
- 16c. State the type of debts you owe that are not consumer debts or business debts
- _____

17. Are you filing under Chapter 7?
- ☒ No. I am not filing under Chapter 7. Go to line 18.
- Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?
- ☐ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?
- ☐ No
- ☐ Yes
18. How many Creditors do you estimate that you owe?
- ☒ 1-49 ☐ 1,000-5,000 ☐ 25,001-50,000
- ☐ 50-99 ☐ 5001-10,000 ☐ 50,001-100,000
- ☐ 100-199 ☐ 10,001-25,000 ☐ More than 100,000
- ☐ 200-999
19. How much do you estimate your assets to be worth?
- ☐ \$0 - \$50,000 ☐ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion
- ☐ \$50,001 - \$100,000 ☐ \$10,000,001 - \$50 million ☐ \$1,000,000,001 - \$10 billion
- ☐ \$100,001 - \$500,000 ☐ \$50,000,001 - \$100 million ☐ \$10,000,000,001 - \$50 billion
- ☒ \$500,001 - \$1 million ☐ \$100,000,001 - \$500 million ☐ More than \$50 billion
20. How much do you estimate your liabilities to be?
- ☐ \$0 - \$50,000 ☐ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion
- ☐ \$50,001 - \$100,000 ☐ \$10,000,001 - \$50 million ☐ \$1,000,000,001 - \$10 billion
- ☐ \$100,001 - \$500,000 ☐ \$50,000,001 - \$100 million ☐ \$10,000,000,001 - \$50 billion
- ☒ \$500,001 - \$1 million ☐ \$100,000,001 - \$500 million ☐ More than \$50 billion

Part 7: Sign Below

For you

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

/s/ Shahen Mailyan
Shahen Mailyan
Signature of Debtor 1

Signature of Debtor 2

Executed on March 8, 2024
MM / DD / YYYY

Executed on _____
MM / DD / YYYY

Debtor 1 **Shahen Mailyan**

Case number (if known)

For your attorney, if you are represented by one

If you are not represented by an attorney, you do not need to file this page.

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

/s/ **Sammy Zreik, Esq.**

Signature of Attorney for Debtor

Date

March 8, 2024

MM / DD / YYYY

Sammy Zreik, Esq

Printed name

Whitbeck, Kooshki & Zreik LLP

Firm name

21515 Hawthorne Blvd. Suite 1130

Torrance, CA 90503

Number, Street, City, State & ZIP Code

Contact phone **888-972-9477**

Email address

sammy.zreik@wkzlaw.com

249020 CA

Bar number & State

**STATEMENT OF RELATED CASES
INFORMATION REQUIRED BY LBR 1015-2
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA**

1. A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, his/her spouse, his or her current or former domestic partner, an affiliate of the debtor, any copartnership or joint venture of which debtor is or formerly was a general or limited partner, or member, or any corporation of which the debtor is a director, officer, or person in control, as follows: (Set forth the complete number and title of each such of prior proceeding, date filed, nature thereof, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A/B that was filed with any such prior proceeding(s).)

None

2. (If petitioner is a partnership or joint venture) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor or an affiliate of the debtor, or a general partner in the debtor, a relative of the general partner, general partner of, or person in control of the debtor, partnership in which the debtor is a general partner, general partner of the debtor, or person in control of the debtor as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of the proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A/B that was filed with any such prior proceeding(s).)

None

3. (If petitioner is a corporation) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, or any of its affiliates or subsidiaries, a director of the debtor, an officer of the debtor, a person in control of the debtor, a partnership in which the debtor is general partner, a general partner of the debtor, a relative of the general partner, director, officer, or person in control of the debtor, or any persons, firms or corporations owning 20% or more of its voting stock as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A/B that was filed with any such prior proceeding(s).)

None

4. (If petitioner is an individual) A petition under the Bankruptcy Reform Act of 1978, including amendments thereof, has been filed by or against the debtor within the last 180 days: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A/B that was filed with any such prior proceeding(s).)

None

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed at _____, California.

Date: March 8, 2024

/s/ Shahan Mailyan

Shahan Mailyan

Signature of Debtor 1

Signature of Debtor 2

Fill in this information to identify your case and this filing:

Debtor 1 **Shahen Mailyan**
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: CENTRAL DISTRICT OF CALIFORNIA

Case number _____

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
☒ Yes. Where is the property?

1.1

260 South Fairway Dr.

Street address, if available, or other description

Lake Arrowhead CA 92352-0000

City State ZIP Code

San Bernardino

County

What is the property? Check all that apply

- ☒ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number:

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

| Current value of the entire property? | Current value of the portion you own? |
|---------------------------------------|---------------------------------------|
| \$776,200.00 | \$776,200.00 |

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

☐ **Check if this is community property**
(see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$776,200.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☒ No
☐ Yes

Debtor 1 **Shahen Mailyan**

Case number (if known) _____

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☐ No

☐ Yes

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$0.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No

☐ Yes. Describe.....

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No

☐ Yes. Describe.....

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☐ No

☐ Yes. Describe.....

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No

☐ Yes. Describe.....

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☐ No

☐ Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☐ Yes. Describe.....

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☐ Yes. Describe.....

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☐ No

☐ Yes. Describe.....

14. Any other personal and household items you did not already list, including any health aids you did not list

☐ No

☐ Yes. Give specific information.....

Debtor 1 **Shahen Mailyan**

Case number (if known)

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$0.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☒ No

☐ Yes.....

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☒ No

☐ Yes.....

Institution name:

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☒ No

☐ Yes. Give specific information about them.....

Name of entity:

% of ownership:

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☒ No

☐ Yes. List each account separately.

Type of account:

Institution name:

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

☐ Yes.

Institution name or individual:

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes.....

Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

☐ Yes.....

Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☒ No

☐ Yes. Give specific information about them...

Debtor 1 **Shahen Mailyan**

Case number (if known)

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund value:

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No

☐ Yes. Give specific information..

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☒ No

☐ Yes. Describe each claim.....

35. Any financial assets you did not already list

☒ No

☐ Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$0.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

Debtor 1 **Shahen Mailyan**

Case number (if known) _____

37. Do you own or have any legal or equitable interest in any business-related property?

☒ No. Go to Part 6.

☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.

If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

☒ No. Go to Part 7.

☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☒ No

☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

| | | |
|--|---------------|--|
| 55. Part 1: Total real estate, line 2 | | \$776,200.00 |
| 56. Part 2: Total vehicles, line 5 | \$0.00 | |
| 57. Part 3: Total personal and household items, line 15 | \$0.00 | |
| 58. Part 4: Total financial assets, line 36 | \$0.00 | |
| 59. Part 5: Total business-related property, line 45 | \$0.00 | |
| 60. Part 6: Total farm- and fishing-related property, line 52 | \$0.00 | |
| 61. Part 7: Total other property not listed, line 54 | \$0.00 | |
| | + | |
| 62. Total personal property. Add lines 56 through 61... | \$0.00 | Copy personal property total \$0.00 |
| 63. Total of all property on Schedule A/B. Add line 55 + line 62 | | \$776,200.00 |

Fill in this information to identify your case:

Debtor 1 **Shahen Mailyan**
First Name Middle Name Last Name
Debtor 2
(Spouse if, filing) First Name Middle Name Last Name
United States Bankruptcy Court for the: CENTRAL DISTRICT OF CALIFORNIA
Case number
(if known)

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

| Column A | Column B | Column C |
|--|--|--------------------------------|
| Amount of claim Do not deduct the value of collateral. | Value of collateral that supports this claim | Unsecured portion If any |

2.1 **Planet Home Lending LLC**

Creditor's Name

**321 Research Parkway
Meriden, CT 06450**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**260 South Fairway Dr. Lake
Arrowhead, CA 92352 San
Bernardino County**

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☒ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☒ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☐ Other (including a right to offset)

\$713,339.47

\$776,200.00

\$0.00

Who owes the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Date debt was incurred **10/6/2022**

Last 4 digits of account number **4696**

Add the dollar value of your entries in Column A on this page. Write that number here:

\$713,339.47

If this is the last page of your form, add the dollar value totals from all pages.
Write that number here:

\$713,339.47

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

[] Name, Number, Street, City, State & Zip Code
**Prestige Default Services
1920 Old Tustin Ave
Santa Ana, CA 92705**

On which line in Part 1 did you enter the creditor? **2.1**

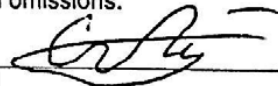
Last 4 digits of account number **9065**

| | | |
|---|--|---|
| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Sammy Zreik, Esq 21515 Hawthorne Blvd. Suite 1130 Torrance, CA 90503 888-972-9477 Fax: 310-540-1112 California State Bar Number: 249020 CA sammy.zreik@wkzlaw.com | | FOR COURT USE ONLY |
| <input type="checkbox"/> Debtor(s) appearing without an attorney <input checked="" type="checkbox"/> Attorney for Debtor | | |
| UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA | | |
| In re: Shahen Mailyan | CASE NO.: CHAPTER: 13 | |
| | | VERIFICATION OF MASTER MAILING LIST OF CREDITORS [LBR 1007-1(a)] |
| Debtor(s). | | |

Pursuant to LBR 1007-1(a), the Debtor, or the Debtor's attorney if applicable, certifies under penalty of perjury that the master mailing list of creditors filed in this bankruptcy case, consisting of 1 sheet(s) is complete, correct, and consistent with the Debtor's schedules and I/we assume all responsibility for errors and omissions.

Date: March 8, 2024

/s/ Shahen Mailyan
Signature of Debtor 1



Date: _____

Signature of Debtor 2 (joint debtor) (if applicable)

Date: March 8, 2024

/s/ Sammy Zreik, Esq
Signature of Attorney for Debtor (if applicable)

This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

December 2015

F 1007-1.MAILING.LIST.VERIFICATION

Case 6:24-bk-11145-RB Doc 1 Filed 03/08/24 Entered 03/08/24 14:19:43 Desc
Main Document Page 16 of 16

Shahen Mailyan
260 South Fairway Dr
Lake Arrowhead, CA 92352

Sammy Zreik, Esq
Whitbeck, Kooshki & Zreik LLP
21515 Hawthorne Blvd. Suite 1130
Torrance, CA 90503

Planet Home Lending LLC
321 Research Parkway
Meriden, CT 06450

Prestige Default Services
1920 Old Tustin Ave
Santa Ana, CA 92705

Exhibit 3

| | |
|--|----------------------------|
| United States Bankruptcy Court Central District of California | |
| In re: Shahen Mailyan | CHAPTER NO.: 13 |
| | CASE NO.: 6:24-bk-11145-RB |

CASE COMMENCEMENT DEFICIENCY NOTICE

To Debtor and Debtor's Attorney of Record,

YOUR CASE MAY BE DISMISSED IF YOU FAIL TO CURE THE FOLLOWING DEFICIENCIES:

You must cure the following within 14 days from filing of your petition:

- ☒ Disclosure of Compensation of Attorney for Debtor (Official Form 2030). [11 U.S.C. § 329; FRBP 2016(b)]
- ☒ Declaration by Debtor(s) as to Whether Income was Received From an Employer within 60 Days of the Petition Date [11 U.S.C. § 521(a)(1)(B)(iv)] (LBR Form F1002-1)

The Revised Official Bankruptcy Forms are mandatory and are available at www.cacb.uscourts.gov/forms

For all items above that are not electronically filed, you must file the original and the following number of copies in accordance with Local Bankruptcy Rules 1002-1(c) and 5005-2, and Court Manual, section 2.5(a)(2).

Chapter 13 Original only

Please return the original or copy of this form with all required items to the following location:

3420 Twelfth Street, Riverside, CA 92501-3819

If you have any questions, please contact the Court's Call Center at the toll free number (855) 460-9641.

Dated: March 8, 2024

For the Court
Kathleen J. Campbell
Clerk of Court

**United States Bankruptcy Court
Central District of California**

In re:
Shahen Mailyan

CHAPTER NO.: 13

CASE NO.: 6:24-bk-11145-RB

**ORDER TO COMPLY WITH BANKRUPTCY RULE 1007 and 3015(b)
AND NOTICE OF INTENT TO DISMISS CASE**

To Debtor and Debtor's Attorney of Record,

YOU FAILED TO FILE THE FOLLOWING DOCUMENTS:

**Schedule C (Form 106C)
Schd E/F (Form 106E/F or 206E/F)
Schedule G (Form 106G or 206G)
Schedule H (Form 106H or 206H)
Summary (Form 106Sum or 206Sum)
Schedule I (Form 106I)
Ch 13 Income (Form 122C-1)
Schedule J (Form 106J)
Decl Re Sched (Form 106Dec)
Stmt Fin Affairs (Form 107 or 207)
Chapter 13 Plan (LBR F3015-1)**

For Chapter 13 Cases filed on or after 04/15/2019, the new version of the chapter 13 plan is required. The court will treat your case as not having filed a plan and **WILL DISMISS YOUR CASE unless the correct version of the mandatory form plan is filed by the applicable deadline.**

The Revised Official Bankruptcy Forms are mandatory and are available at www.cacb.uscourts.gov/forms

According to Bankruptcy Rules 1007(c) and 3015(b), within 14 days after you filed the petition, **YOU MUST EITHER:**

- (1) File the required documents. If the document is filed electronically, no hard copy needs to be submitted to the court. (See Local Bankruptcy Rule 5005-2(d) and Court Manual, Appendix "F" as to whether a copy must be served on the judge.)

OR

- (2) File and serve a motion for an order extending the time to file the required document(s). If you make such a motion and it is denied after the 14 days have expired, your case will be dismissed.

IF YOU DO NOT COMPLY in a timely manner with either of the above alternatives, the court **WILL DISMISS YOUR CASE WITHOUT FURTHER NOTICE.**

Dated: March 8, 2024

For the Court
Kathleen J. Campbell
Clerk of Court

Exhibit 4

Form odspb-odspab/autodismi
Rev. 06/2017

**United States Bankruptcy Court
Central District of California**

3420 Twelfth Street, Riverside, CA 92501-3819

**ORDER AND NOTICE OF DISMISSAL FOR
FAILURE TO FILE SCHEDULES, STATEMENTS AND/OR PLAN**

DEBTOR INFORMATION:
Shahen Mailyan

BANKRUPTCY NO. 6:24-bk-11145-RB

CHAPTER 13

Last four digits of Social-Security or Individual Taxpayer-Identification (ITIN) No(s), (if any): xxx-xx-2462
Employer Tax-Identification (EIN) No(s).(if any): N/A
Debtor Dismissal Date: 3/26/24

Address:
260 South Fairway Dr
Lake Arrowhead, CA 92352

It appearing that the debtor(s) in the above-captioned case has failed to file all the documents required under FRBP 1007 or 3015(b) within 14 days after the filing of the petition and no motion for an order extending the time to file the required documents has been timely filed in accordance with FRBP 1007(a)(5) or 3015(b),

IT IS HEREBY ORDERED THAT:

- 1) The case is dismissed.
- 2) The automatic stay is vacated.
- 3) Any discharge entered in this case is vacated.
- 4) The Court retains jurisdiction on all issues involving sanctions, any bar against being a debtor in bankruptcy, all issues arising under Bankruptcy Code §§ 105, 109(g), 110, 329, 349, and 362, and to any additional extent provided by law.

Dated: March 26, 2024

By the Court,
Kathleen J. Campbell
Clerk of Court

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
**3801 University Avenue, Suite 720,
Riverside, CA 92501**

A true and correct copy of the foregoing document entitled (*specify*): **Notice of Motion and Motion for Order Compelling Attorney to File Disclosure of Compensation Pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy Procedure 2016; Memorandum of Points and Authorities; Declaration of Adela M. Salgado in Support Thereof** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **April 9, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See Attached Electronic Mail Notice List.

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **April 9, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor
Shahen Mailyan
260 South Fairway Dr
Lake Arrowhead, CA 92352

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **April 9, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

(Overnight Mail)
Judge's Copy
Honorable Magdalena Reyes Bordeaux
United States Bankruptcy Court
3420 Twelfth Street, Suite 365 / Courtroom 303
Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 9, 2024 Adela Salgado
Date *Printed Name*

/s/ Adela Salgado
Signature

Mailing Information for Case 6:24-bk-11145-RB

Electronic Mail Notice List

The following is the list of **parties** who are currently on the list to receive email notice/service for this case.

- **Rod Danielson (TR)** notice-efile@rodan13.com
- **United States Trustee (RS)** ustpreion16.rs.ecf@usdoj.gov
- **Jennifer C Wong** bknotice@mccarthyholthus.com, jwong@ecf.courtdrive.com
- **Sammy Zreik** sammy.zreik@wkzlaw.com, zreiksr91001@notify.bestcase.com

Manual Notice List

The following is the list of **parties** who are **not** on the list to receive email notice/service for this case (who therefore require manual noticing/service). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

[Creditor List](#)

Click the link above to produce a complete list of **creditors** only.

[List of Creditors](#)

Click on the link above to produce a list of **all** creditors and **all** parties in the case. User may sort in columns or raw data format.